

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

IN RE: Richard D. Wyncoop

Case No. 17-21173 CMB

Chapter 13

Debtor(s).

X

ORDER OF COURT
(Check Boxes That Apply)

☒ **Confirming Plan on Final Basis**

☐ **Chapter 13 Plan dated:**

☐ **Authorizing Distributions Under Plan On Interim Basis Solely as Adequate Protection**

☒ Amended Chapter 13 dated:
12-7-21

IT IS HEREBY ORDERED that pursuant to the plan identified above (the “Plan”), as the same may be modified by this Order, the Chapter 13 Trustee is authorized to make distributions to creditors holding allowed claims from available funds on hand. Such distributions shall commence no earlier than the Chapter 13 Trustee’s next available distribution date after the first day of the month following the date on which this Order is entered on the Court’s docket.

IT IS FURTHER ORDERED that those terms of the Plan which are not expressly modified by this Order shall remain in full force and effect. To the extent any terms and conditions of the Plan are in conflict with this Order, the terms of this Order shall supersede and replace any conflicting terms and conditions of the Plan.

1. Unique Provisions Applicable Only to This Case: *Only those provisions which are checked below apply to this case:*

- ☐ A. For the remainder of the Plan term, the periodic monthly Plan payment is amended to be \$_____, beginning _____. To the extent there is no wage attachment in place or if an existing wage attachment is insufficient to fund the Plan payments, counsel to the Debtor(s) shall within seven (7) days hereof file a wage attachment motion (or motions) to fully fund the Plan payments, or shall sign up for and commence payments under the Trustee's TFS online payment program.

- ☐ B. The length of the Plan is changed to a total of at least ____ months. This statement of duration of the Plan is an approximation. The Plan shall not be completed until the goals of the Plan have been achieved.
- ☐ C. To the extent this Order is entered as a form of adequate protection, the Trustee is authorized to distribute to secured and priority creditors with percentage fees payable to the Chapter 13 Trustee on receipt as provided for in 28 U.S.C. §586. ***Continued conciliation conferences before the Trustee or contested hearings before the Court shall proceed on such dates and times as appear on the case docket.*** The Trustee is deemed to have a continuous objection to the Plan until such time the Plan is confirmed on a final basis.

PARTIES ARE REMINDED OF THEIR DUTY TO MONITOR THE COURT'S DOCKET AND ATTEND DULY SCHEDULED HEARINGS. THE PARTIES ARE FURTHER REMINDED OF THEIR DUTY TO MEET AND CONFER AND OTHERWISE ENGAGE IN GOOD FAITH SETTLEMENT NEGOTIATIONS WITH RESPECT TO ANY OBJECTION TO PLAN CONFIRMATION. FAILURE TO COMPLY WITH THESE DUTIES MAY RESULT IN THE IMPOSITION OF SANCTIONS AGAINST THE OFFENDING PARTY.

- ☐ D. Plan confirmation is subject to the resolution of all actions to determine the avoidability, priority, or extent of liens; including determination of the allowed amount of secured claims under *11 U.S.C. §506*, disputes over the amount and allowance of claims entitled to priority under *11 U.S.C. §507*, and all objections to claims.
- ☒ E. The allowed claims of general unsecured creditors shall be paid from available funds on a pro rata basis, which may represent an increase or decrease in the amount projected in the Plan.
- ☐ F. The following utility creditor _____ shall be paid monthly payments of \$_____ beginning with the Trustee's next distribution and continuing for the duration of the Plan's term, to be applied by that creditor to its administrative claim, ongoing budget payments and/or security deposit. These payments shall be at the third distribution level.
- ☐ G. The claims of the following unsecured creditors shall govern as to amount, classification and rate of interest (or as otherwise noted), unless the Debtor(s) successfully objects to the claim:
-
- ☐ H. The secured claims of the following creditors shall govern as to claim amount, to be paid at the modified plan interest rate in a monthly amount to be determined by Trustee to pay the claim in full during the Plan term:

-
- ☐ I. The secured claim(s) of the following creditors shall govern as to claim amount, to be paid at the indicated interest rate in a monthly amount to be determined by Trustee to pay in full during the Plan term:
-
- ☐ J. The secured claim(s) of the following creditor(s) shall govern, following all allowed post-petition payment change notices filed of record:
-
- ☒ K. Additional Terms and Conditions:
➤ No further payments will be made on Claim 3 Pa Department of Revenue as the creditor reports the debt is paid in full.

2. Deadlines. The following deadlines are hereby established and apply to this case:

A. Applications to retain brokers, sales agents, or other professionals. If the Plan contemplates a sale or sales of assets or the recovery of litigation proceeds as a source of funding, Debtor(s) shall file motion(s) to employ the necessary professionals within thirty (30) days hereof.

B. Review of Claims Docket and Objections to Claims. Pursuant to *W.P.A.LBR 3021-1(c)(2)*, the Debtor(s) (or Debtor(s)' attorney, if represented), shall review the proofs of claim filed in this case and shall file objections (1) to any disputed timely filed claims within ninety (90) days after the claims bar date, or (2) to any disputed late filed or amended claims within ninety (90) days after the amended and/or late claims are filed and served. Absent a timely objection or further order of the Court, the timely filed proof of claim will govern as to the classification and amount of the claim; provided however, no creditor shall receive a distribution in this case until such time as the relevant allowed claim is provided for in the Plan or any subsequent amended plan.

C. Motions or Complaints Pursuant to §§506, 507 or 522. All actions to determine the priority, avoidability, or extent of liens, and all actions pursuant to *11 U.S.C. §§506, 507 and 522* shall be filed within ninety (90) days after the claims bar date.

D. Filing Amended Plans or Other Stipulation. Within fourteen (14) days after the Bankruptcy Court resolves the priority of a claim, avoidability of a lien or interest, or extent of a lien, or any objection to claim, the Debtor(s) shall file an Amended Plan or Stipulated Order Modifying Plan to provide for the allowed amount of the lien or claim if the allowed amount and/or treatment differs from the amount and/or treatment stated in the Plan. The Debtor(s) or Counsel for Debtor(s) should inquire with the Chapter 13 Trustee regarding whether an Amended Plan or proposed Stipulated Order Modifying Plan is the preferred course of action. In addition, if after the conclusion of the claims bar date and any associated litigation, the Plan is underfunded, Debtor(s) shall also file (1) an amended Plan increasing the monthly Plan payment, and (2) a

revised wage attachment to provide for the increased funding.

3. Additional Provisions. The following additional provisions apply in this case:

A. Any creditor who files or amends a proof of claim shall serve a copy on the Debtor(s) or counsel for the Debtor(s).

B. The Trustee shall hold in reserve any distributions under the Plan to any creditor who holds a claim that is provided for in the Plan but which is subject to a duly filed claims objection. Upon entry of further order of the Court, or ultimate allowance of the disputed claim provided for in the Plan, the Trustee may release the reserve and make distribution to the affected creditor. Unless otherwise permitted by separate Order of Court, Trustee shall not commence distributions to unsecured creditors until after the later of the government bar date and a filed notice of an intention to pay claims (the later date being the "Earliest Unsecured Distribution Date"). Trustee may, but has no obligation to, further defer distributions to unsecured creditors until a later date after the Earliest Unsecured Distribution Date.

C. Any creditor whose payment changes due to variable interest rates, change in escrow, or change in monthly payments, shall notify the Trustee, Debtor(s)' counsel and Debtor(s) at least twenty-one (21) days prior to the change taking effect.

D. Debtor(s)' counsel must file a fee application in accordance with *W.P.A.LBR 2016-1* before attorney fees in excess of the "no look" provision (including retainer) will be allowed or paid.

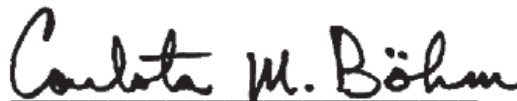
E. The Trustee shall file a *Certificate of Default and Request for Dismissal* of the case in the event of a material Plan default.

F. In the event that any order is entered in this case granting relief from the automatic stay to a secured creditor, then the Trustee shall make no further disbursements to any creditor on account of any allowed ***secured claim*** (that is secured by the property subject to the relief from stay order), unless otherwise directed by further Order of Court.

G. The Debtor(s) shall maintain all policies of insurance on all property of the Debtor(s) and this estate as required by law and/or contract.

H. The Debtor(s) shall pay timely all post-confirmation tax liabilities directly to the appropriate taxing authorities as they become due.

Dated: March 7, 2022


Carlota M. Böhm dmr

Chief United States Bankruptcy Court Judge

cc: All Parties in Interest to be served by Clerk

FILED
3/7/22 9:50 am
CLERK
U.S. BANKRUPTCY
COURT - WDPA

In re:
Richard D. Wyncoop
Debtor

Case No. 17-21173-CMB
Chapter 13

CERTIFICATE OF NOTICE

District/off: 0315-2
Date Rcvd: Mar 07, 2022

User: auto
Form ID: pdf900

Page 1 of 3
Total Noticed: 41

The following symbols are used throughout this certificate:

Symbol	Definition
+	Addresses marked '+' were corrected by inserting the ZIP, adding the last four digits to complete the zip +4, or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP.
#	Addresses marked '#' were identified by the USPS National Change of Address system as requiring an update. While the notice was still deliverable, the notice recipient was advised to update its address with the court immediately.

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Mar 09, 2022:

Recip ID	Recipient Name and Address
db	#+ Richard D. Wyncoop, 735 Woodlawn Dr., Washington, PA 15301-2835
14389691	Fifth Third Bank Mastercard, 5050 Kingsley Drive, Cincinnati, OH 45227-1115
14634499	First Associates Loan Servicing, LLC, as agent for Loan Depot, LLC, PO Box 503430, San Diego, CA 92150-3430
14673254	Grassy Sprain Group, Inc., 1003 Yamato Road, Suite 308, Boca Raton, FL 33431-4403
14736743	+ Grassy Sprain Group, Inc., 9858 Clint Moore Road Suite C-11 #217, Boca Raton, FL 33496-1034
14389695	+ Lending Club & WebBank, 71 Stevenson Street, Suite 300, San Francisco, CA 94105-2985
14409706	+ Loan Depot, PO Box 504125, San Diego, CA 92150-4125
14409707	+ Loan Depot, 26642 Towne Centre Drive, Foothill Ranch, CA 92610-2808
14633790	+ Nationwide, PO Box 23356, Pittsburgh, PA 15222-6356
14389698	Nationwide Visa, c/o Nationwide Bank, PO Box 660173, Dallas, TX 75266-0173
14389699	The Home Depot, PO Box 530584, Atlanta, GA 30353-0584
14409712	+ The Home Depot, PO Box 29429, Atlanta, GA 30359-0429
15050983	+ The Money Source Inc., 500 S. Broad Street, Suite 100A, Meriden, CT 06450-6755
14409714	Western Reserve Hospital, 1990 23rd Street, Cuyahoga Falls, OH 44223

TOTAL: 14

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.

Electronic transmission includes sending notices via email (Email/text and Email/PDF), and electronic data interchange (EDI). Electronic transmission is in Eastern Standard Time.

Recip ID	Notice Type: Email Address	Date/Time	Recipient Name and Address
14389682	Email/PDF: gecsedl@recoverycorp.com	Mar 07 2022 23:27:22	Amazon.com, c/o Synchrony Bank, P.O. Box 965016, Orlando, FL 32896-5016
14389683	Email/Text: bk@avant.com	Mar 07 2022 23:14:00	Avant, PO Box 9183380, Chicago, IL 60691-3380
14389684	+ Email/Text: bk@avant.com	Mar 07 2022 23:14:00	Avant, 222 North La Salle Street, Suite 1700, Chicago, IL 60601-1101
14389685	Email/Text: BarclaysBankDelaware@tsico.com	Mar 07 2022 23:13:00	Barclay's Bank, c/o Card Services, PO Box 13337, Philadelphia, PA 19101-3337
14409697	+ Email/Text: bknotifications@cishomeloans.com	Mar 07 2022 23:14:00	CIS Financial Services, Inc., CIS Home Loans, PO Box 1906, Hamilton, AL 35570-1906
14697309	+ Email/Text: bknotifications@cishomeloans.com	Mar 07 2022 23:14:00	CIS Financial Services, Inc., 851 Military St. N, Hamilton, AL 35570-3140
14389687	+ Email/Text: bknotifications@cishomeloans.com	Mar 07 2022 23:14:00	CIS Financial Services, Inc., & CIS Home Loans, PO Box 1906, Hamilton, AL 35570-1906
14389686	Email/PDF: AIS.cocard.ebn@aisinfo.com	Mar 07 2022 23:27:31	Capital One Bank, PO Box 71083, Charlotte, NC 28272-1083
14637228	Email/PDF: AIS.cocard.ebn@aisinfo.com	Mar 07 2022 23:27:31	Capital One Bank (USA), N.A., PO Box 71083, Charlotte, NC 28272-1083
14652385	Email/PDF: bncnotices@becket-lee.com	Mar 07 2022 23:27:32	Capital One, N.A., c/o Becket and Lee LLP, PO Box 3001, Malvern PA 19355-0701
14389688	+ Email/Text: bankruptcy@clearviewfcu.org		

District/off: 0315-2

User: auto

Page 2 of 3

Date Rcvd: Mar 07, 2022

Form ID: pdf900

Total Noticed: 41

		Mar 07 2022 23:14:00	Clearview Federal Credit Union, 8805 University Blvd., Moon Township, PA 15108-4212
14400656	+ Email/Text: FifthThirdBKNotices@nationalbankruptcy.com	Mar 07 2022 23:13:00	Fifth Third Bank, PO Box 9013, Addison, Texas 75001-9013
14389692	Email/Text: bnc-bluestem@quantum3group.com	Mar 07 2022 23:14:00	Fingerhut, PO Box 166, Newark, NJ 07101-0166
14635207	+ Email/Text: bankruptcy@greenskycredit.com	Mar 07 2022 23:13:00	Home Depot Loan Services, 1797 N. E. Expressway, Suite 100, Atlanta, GA 30329-2451
14389693	Email/Text: BKRMailOPS@weltman.com	Mar 07 2022 23:13:00	JB Robinson Jewelers, PO Box 740425, Cincinnati, OH 45274-0425
14680818	Email/Text: JCAP_BNC_Notices@jcap.com	Mar 07 2022 23:14:00	Jefferson Capital Systems LLC, Po Box 7999, Saint Cloud Mn 56302-9617
14389694	Email/Text: PBNCNotifications@peritussservices.com	Mar 07 2022 23:13:00	Kohl's, PO Box 2983, Milwaukee, WI 53201-2983
14662732	Email/PDF: resurgentbknofications@resurgent.com	Mar 07 2022 23:27:15	LVNV Funding, LLC its successors and assigns as, assignee of LendingClub Corporation &, LC Trust I, Resurgent Capital Services, PO Box 10587, Greenville, SC 29603-0587
14745452	Email/PDF: resurgentbknofications@resurgent.com	Mar 07 2022 23:27:15	LVNV Funding, LLC its successors and assigns as, PO Box 10587, Greenville, SC 29603-0587
14389697	Email/PDF: gecsed@recoverycorp.com	Mar 07 2022 23:27:13	Lowe's, c/o Synchrony Bank, PO Box 960010, Orlando, FL 32896-0010
14688420	+ Email/Text: bankruptcydpt@mcmcg.com	Mar 07 2022 23:14:00	MIDLAND FUNDING LLC, PO BOX 2011, WARREN, MI 48090-2011
14964575	Email/PDF: MerrickBKNotifications@Resurgent.com	Mar 07 2022 23:27:22	Merrick Bank, c/o Resurgent Capital Services, PO Box 10368, Greenville, SC 29603-0368
14409710	+ Email/Text: RVSVCBICNOTICE1@state.pa.us	Mar 07 2022 23:14:00	PA Department of Revenue, Bankruptcy Division, P.O. Box 280946, Harrisburg, PA 17128-0946
14390958	+ Email/PDF: rmscedi@recoverycorp.com	Mar 07 2022 23:27:13	PRA Receivables Management, LLC, PO Box 41021, Norfolk, VA 23541-1021
14401935	Email/Text: RVSVCBICNOTICE1@state.pa.us	Mar 07 2022 23:14:00	Pennsylvania Department of Revenue, Bankruptcy Division PO Box 280946, Harrisburg, Pa. 17128-0946
14399217	Email/Text: bnc-quantum@quantum3group.com	Mar 07 2022 23:13:00	Quantum3 Group LLC as agent for, Sterling Jewelers Inc, PO Box 788, Kirkland, WA 98083-0788
14389700	Email/PDF: gecsed@recoverycorp.com	Mar 07 2022 23:27:12	Walmart, c/o Synchrony Bank, P.O. Box 965023, Orlando, FL 32896-5023

TOTAL: 27

BYPASSED RECIPIENTS

The following addresses were not sent this bankruptcy notice due to an undeliverable address, *duplicate of an address listed above, *P duplicate of a preferred address, or ## out of date forwarding orders with USPS.

Recip ID	Bypass Reason	Name and Address
cr		CIS Financial Services, Inc.
cr		CIS Financial Services, Inc. dba CIS Home Loans
cr		THE MONEY SOURCE INC.
cr		The Money Source Inc.
14389696		Loan Depot
cr	*+	First Associates Loan Servicing, LLC, as agent for Loan Depot LLC, PO Box 503430, San Diego, CA 92150-3430
cr	*	Merrick Bank, c/o Resurgent Capital Services, PO Box 10368, Greenville, SC 29603-0368
cr	*+	PRA Receivables Management, LLC, PO Box 41021, Norfolk, VA 23541-1021
14409692	*	Amazon.com, c/o Synchrony Bank, P.O. Box 965016, Orlando, FL 32896-5016
14409693	*	Avant, PO Box 9183380, Chicago, IL 60691-3380
14409694	*+	Avant, 222 North La Salle Street, Suite 1700, Chicago, IL 60601-1101
14409695	*	Barclay's Bank, c/o Card Services, PO Box 13337, Philadelphia, PA 19101-3337

District/off: 0315-2

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Page 3 of 3

Date Rcvd: Mar 07, 2022

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14409696	*	Capital One Bank, PO Box 71083, Charlotte, NC 28272-1083
14409698	*+	Clearview Federal Credit Union, 8805 University Blvd., Moon Township, PA 15108-4212
14389689	*	Clearview Federal Credit Union, 8805 University Boulevard, Moon Township, PA 15108-2580
14389690	*	Clearview Federal Credit Union, 8805 University Boulevard, Moon Township, PA 15108-2580
14409699	*	Clearview Federal Credit Union, 8805 University Boulevard, Moon Township, PA 15108-2580
14409700	*	Clearview Federal Credit Union, 8805 University Boulevard, Moon Township, PA 15108-2580
14409701	*	Fifth Third Bank Mastercard, 5050 Kingsley Drive, Cincinnati, OH 45227-1115
14409702	*	Fingerhut, PO Box 166, Newark, NJ 07101-0166
14409703	*	JB Robinson Jewelers, PO Box 740425, Cincinnati, OH 45274-0425
14409704	*	Kohl's, PO Box 2983, Milwaukee, WI 53201-2983
14409705	*+	Lending Club & WebBank, 71 Stevenson Street, Suite 300, San Francisco, CA 94105-2985
14409708	*	Lowe's, c/o Synchrony Bank, PO Box 960010, Orlando, FL 32896-0010
14409709	*	Nationwide Visa, c/o Nationwide Bank, PO Box 660173, Dallas, TX 75266-0173
14409711	*	The Home Depot, PO Box 530584, Atlanta, GA 30353-0584
14409713	*	Walmart, c/o Synchrony Bank, P.O. Box 965023, Orlando, FL 32896-5023

TOTAL: 5 Undeliverable, 22 Duplicate, 0 Out of date forwarding address

NOTICE CERTIFICATION

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed .R. Bank. P.2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Mar 09, 2022

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on March 7, 2022 at the address(es) listed below:

Name	Email Address
Brian Nicholas	on behalf of Creditor THE MONEY SOURCE INC. bnicholas@kmlawgroup.com
Celine P. DerKrikorian	on behalf of Creditor CIS Financial Services Inc. dba CIS Home Loans ecfmail@mwc-law.com
Jerome B. Blank	on behalf of Creditor The Money Source Inc. pawb@fedphe.com
Kenneth Steidl	on behalf of Debtor Richard D. Wyncoop julie.steidl@steidl-steinberg.com ken.steidl@steidl-steinberg.com;ifriend@steidl-steinberg.com;asteidl@steidl-steinberg.com;todd@steidl-steinberg.com;cgoga@steidl-steinberg.com;rlager@steidl-steinberg.com;leslie.nebel@steidl-steinberg.com
Marisa Myers Cohen	on behalf of Creditor CIS Financial Services Inc. ecfmail@ecf.courtdrive.com, mcohen@mwc-law.com
Office of the United States Trustee	ustpregion03.pi.ecf@usdoj.gov
Ronda J. Winnecour	cmecf@chapter13trusteedpa.com
Thomas Song	on behalf of Creditor The Money Source Inc. pawb@fedphe.com
Thomas Song	on behalf of Creditor THE MONEY SOURCE INC. pawb@fedphe.com

TOTAL: 9